



Appln. No. 10/622,938
Amendment dated October 16, 2007
Reply to Office Action mailed May 16, 2007

Attorney's Docket No. 23-0070/31015

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Re Patent Application of)
DAVID L. OSWALD)
Serial No.: 10/622,938)
Filed: July 18, 2003)
For: COMPUTER MONITOR RECEIVER)
Examiner: Gims S. Phillipe)
Group Art Unit: 2621)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION UNDER 37 CFR §1.131

I, Jeffrey A. Proehl, am a registered patent attorney (Reg. No. 35,987) and the attorney of record for the present patent application of Mr. David L. Oswald (hereinafter referred to as "the Applicant"), inventor of the above-titled invention. Upon inspection of the file for the present patent application that is maintained in my office for the present patent application, I declare the following:

1. Upon information and belief after inspecting the file, prior to June 26, 2003 the Applicant had completed the invention as described and claimed in the subject application in this country, a NAFTA country, or a WTO country, as evidenced by the following:

a. Prior to June 26, 2003, the Applicant, having earlier conceived the idea of the claimed invention, completed an invention disclosure form that described the invention and included hand-drawn sketches of the invention, as is evidenced

by the copy of the invention disclosure form attached hereto as Exhibit A.

b. Prior to June 26, 2003, the Applicant visited the law office of Kaardal & Leonard, L.L.P. and met with Ivar M. Kaardal, a registered patent attorney at the time of the visit, as is evidenced by the copy of the "NEW CLIENT INFORMATION" form attached hereto as Exhibit B.

c. Prior to June 26, 2003, a preliminary patentability search was caused to be performed by the Kaardal & Leonard, L.L.P. law firm and a preliminary patentability opinion was prepared by Mr. Mark A. Ekse of the Kaardal & Leonard firm and supplied to the Applicant, as evidenced by the copy of the patentability opinion letter is attached hereto as Exhibit C.

d. Prior to June 26, 2003, the law office of Kaardal & Leonard, L.L.P. sent a draft patent application to the Applicant, as evidenced by the copy of the transmittal letter from the Kaardal & Leonard law office attached hereto as Exhibit D and as evidenced by the copy of the patent application draft attached hereto as Exhibit E).

e. Exhibit F is a copy of a document signed and dated with a date prior to June 26, 2003 by the Applicant, and apparently bears the date of receipt by the Kaardal & Leonard office of July 7, 2003.

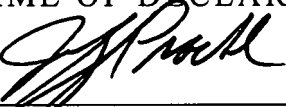
f. Exhibit G is a copy of the executed patent application returned by the Applicant with the executed declaration (and non-publication request) signed and dated on July 4, 2003. This is believed to be the text of the application filed in the

United States Patent and Trademark Office (U.S.P.T.O.) on July 18, 2003 (it appears that the numbering in the drawings was formalized from the hand-numbered drawings in the draft executed by the Applicant).

2. All dates deleted from the above Exhibits are prior to June 26, 2003.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF DECLARANT: Jeffrey A. Proehl



Signature

Date: Oct 16, 2007